

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

WILLIAM BOYD PIERCE, #1208957

VS.

DIRECTOR, TDCJ-CID

§  
§  
§  
§  
§

CIVIL ACTION NO. 4:19cv462

**ORDER OF DISMISSAL**

This case was referred to United States Magistrate Judge Kimberly C. Priest Johnson, who issued a Report and Recommendation concluding that the petition for writ of habeas corpus should be dismissed without prejudice as successive. Petitioner filed objections.

In his objections, Petitioner urges the Court to consider the merits of his petition because one issue concerns a void and illegal sentence, and the others are also of constitutional magnitude. As noted in the Report and Recommendation, however, the Court does not have jurisdiction to consider the issues raised because Petitioner has not shown the Fifth Circuit granted permission to file a successive petition. *United States v. Key*, 205 F.3d 773, 774 (5th Cir. 2000).

In sum, the Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of the case, has been presented for consideration. The Court conducted a *de novo* review of the objections raised by Petitioner to the Report, and concludes that the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the Court.

It is accordingly **ORDERED** the petition for writ of habeas corpus is **DISMISSED** without prejudice. Petitioner's objections are **OVERRULED**.

It is also **ORDERED** that all motions by either party not previously ruled on are hereby **DENIED**.

**SIGNED this 8th day of September, 2019.**

  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE